

Permitting & Assistance Branch Staff Report

Revised Solid Waste Facilities Permit for

SA Recycling

SWIS No. 33-AA-0297

April 7, 2015

Background Information, Analysis, and Findings:

This report was developed in response to the Riverside County Local Enforcement Agency's (LEA) request for the Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed revised Solid Waste Facilities Permit (SWFP) for SA Recycling, SWIS No. 33-AA-0297, located in Riverside County and owned and operated by SA Recycling, LLC. A copy of the proposed permit is attached. This report contains Permitting & Assistance Branch staff's analysis, findings, and recommendations.

The proposed permit was initially received on February 17, 2015. A new proposed permit was received on March 13, 2015. Action must be taken on this permit no later than May 12, 2015. If no action is taken by May 12, 2015, the Department will be deemed to have concurred with the issuance of the proposed revised SWFP.

Proposed Changes

The following changes to the first page of the permit are being proposed:

	Current Permit (2005)	Proposed Permit
Permitted Operations	Transfer/Processing Facility	Composting Facility (green material/wood waste/C&G) Inerts Processing Facility
Permitted Maximum Tonnage	1,000 Tons per day, 166,720 Tons per year – Green Material and Wood Waste 2,000 Tons per day, 150,000 Tons per year – Inert Material 40 Tons per day, 10,000 Tons per year – Metals and White Goods	3,000 (combined all feedstock, does not include metal types) tons/day (See condition 17 d)
Permitted Area (in acres)	Total: 25	Total: 43 Transfer/Processing: 5 Composting: 14.7
Design Capacity (cubic yards)	17,800 cubic yards green material 60,000 cubic yards inert material 800 cubic yards metals	168,000 cubic yards transfer/processing 187,800 cubic yards composting

Other Changes include:

1. Revisions to the following sections of the SWFP: "Legal Description," "Findings," "Prohibitions," documents that describe and/or restrict the operation of the facility, "Self-monitoring programs," and "LEA Conditions" including the

- rewording, additions and/or deletions for the purpose of updating and/or clarifying.
2. No longer specifying metal tonnage under Permitted Maximum Tonnage limits or tons per year; and
 3. Permitted maximum tonnage stated as combined but includes a condition (17 d) to further specify tonnage amounts of inerts and green waste per day and year.

Key Issues

The proposed permit will allow for the following:

1. Windrow composting operation in addition to the existing chip and grind operation;
2. Continued operations for the recycling of concrete and asphalt (inerts), metals and white goods (appliances) and add processing end-of-life (EOL) vehicles;
3. Phased expansion of the outdoor existing recycling operations from 25 acres to 43 acres;
4. Increase the design capacity for transfer/processing and add design capacity for composting;
5. Addition of equipment storage, warehouse and parking area;
6. Updated site maps; and
7. Metal tonnage will no longer be included in volume or weight limits since it is part of a scrap metal recycling activity and not subject to the transfer/processing regulatory requirements, however, the receipt of metals will still be limited by the permitted traffic volume.

Background:

SA Recycling is an existing large volume transfer/processing facility that has been in operation since 1998 that receives and processes (chips and grinds) green waste and wood waste and processes inert materials into recycled road base and other products. Metals and white goods as well as California Redemption Value (CRV) containers are also received at the facility. The facility was issued a full SWFP in August 2005. The permit revision will add windrow composting operations and increase the permitted area from 25 acres to 43 acres. The facility is currently permitted to accept 3,040 tons per day; there will be no increase in the maximum permitted daily tonnage, hours of operation, or traffic limits associated with this permit revision; however, the metals, white goods and EOL vehicles will not count toward the permitted daily tonnage.

Findings:

Staff recommends concurrence in the issuance of the proposed revised SWFP. All of the required submittals and findings required by Title 27 of the California Code of Regulations (27 CCR), Section 21685, have been provided and made. Staff has determined that the California Environmental Quality Act (CEQA) requirements have been met to support concurrence. The findings that are required to be made by the Department when reaching a determination are summarized in the following table. The documents on which staff's findings are based have been provided to the Branch Chief

with this Staff Report and are permanently maintained by the Waste Permitting, Compliance, and Mitigation Division.

27 CCR Sections	Findings	
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	The LEA provided the required certification in their permit submittal letter dated February 13, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(2) LEA Five Year Permit Review	A Permit Review Report was prepared by the LEA on September 29, 2010. The LEA provided a copy to the Department on October 13, 2010. The changes identified in the review are reflected in this permit revision.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	Staff received a proposed Solid Waste Facilities Permit on March 13, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685 (b)(4)(A) Consistency with Public Resources Code 50001	The LEA in their permit submittal package received on February 17, 2015, provided a finding that the facility is consistent with PRC 50001. Waste Evaluation & Enforcement Branch (WEEB) staff in the Jurisdiction Compliance Unit found the facility is identified in the <i>Non-Disposal Facility Element</i> as described in their memorandum dated April 1, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) Operations Consistent with State Minimum Standards	WEEB staff in the Inspections and Enforcement Agency Compliance Unit found that the facility was in compliance with all operating and design requirements during an inspection conducted on April 7, 2015. See Compliance History below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their permit submittal package received on February 17, 2015, that the proposed permit is consistent with and supported by the existing CEQA documentation. See the Environmental Analysis below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21650(g)(5) Public Notice and/or Meeting, Comments	A Public Informational Meeting was held by the LEA on January 29, 2015. No written comments were received by LEA or Department staff. Oral comments were addressed by LEA staff. See Public Comments section below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
CEQA Determination to Support Responsible Agency's Findings	The Department is a responsible agency under CEQA with respect to this project. Permitting and Assistance Branch staff has determined that the	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

27 CCR Sections	Findings	
	CEQA record can be used to support the Branch Chief's action on the proposed revised SWFP.	

Compliance History:

WEEB staff in the Inspections and Enforcement Agency Compliance Unit conducted a pre-permit inspection on April 7, 2015 and found that the facility is in compliance with applicable state minimum standards and permit conditions.

Below are the details of the facility's compliance history based on the LEA's monthly inspection reports during the last five years:

- 2015 (January - March) - No violations were noted.
- 2014 (August) - One violation of PRC 44014(b) – Operator Complies with Terms & Conditions.
- 2013 - No violations were noted.
- 2012 (January - June) - Violation of PRC 44014(b) – Operator Complies with Terms & Conditions.
- 2011 (August - December) - Violation of PRC 44014(b) – Operator Complies with Terms & Conditions.
- 2010 (January - February and November) - Violation of PRC 44014(b) – Operator Complies with Terms & Conditions.

All violations were corrected to the satisfaction of the LEA.

Environmental Analysis:

Under California Environmental Quality Act (CEQA), the Department must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed SWFP before the Department concurs in it. In this case, the Department is a Responsible Agency under CEQA and must utilize the environmental document prepared by the Riverside County Planning Department, acting as Lead Agency, absent changes in the project or the circumstances under which it will be carried out that justify the preparation of additional environmental documents and absent significant new information about the project, its impacts and the mitigation measures imposed on it.

The changes that will be authorized by the issuance of the proposed permit include: Phased expansion of an existing outdoor recycling facility from approximately 25 acres to 43 acres including recycling for green waste, composting, asphalt and concrete materials, metals and white goods, processing EOL vehicles, increasing the design capacity, and addition of 73,000 square foot equipment storage area, 15,000 square foot warehouse and 29,000 square foot employee parking area. The metal tonnage will no longer be included on the SWFP since it is part of a scrap metal recycling activity and not subject to the transfer/processing regulatory requirements, however, the receipt of metals will still be limited by the permitted traffic volume.

These changes are supported by the following environmental document.

A Mitigated Negative Declaration (MND), State Clearinghouse No. 2013101095, was circulated for a 30 day comment period from October 29, 2013 to November 27, 2013. The project analysis concluded that any physical environmental impacts caused by the project could be mitigated to less than significant levels with the implementation of the mitigation measures included in the Mitigation Monitoring and Reporting Program. The MND, together with the Mitigation Monitoring and Reporting Program, was approved by the Lead Agency on July 1, 2014.

The Riverside County Department of Environmental Health (LEA), has provided a finding that the proposed revised SWFP is consistent with and supported by the cited environmental document.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, utilize the MND as prepared by the Lead Agency in that there are no grounds under CEQA for the Department to prepare a subsequent or supplemental environmental document or assume the role of Lead Agency for its consideration of the proposed revised SWFP. Department staff has reviewed and considered the CEQA record and recommends the MND is adequate for the Branch Chief's approval of the proposed project for those project activities which are within the Department's expertise and/or powers, or which are required to be carried out or approved by the Department.

The administrative record for the decision to be made by the Department includes the administrative record before the LEA, the proposed revised SWFP and all of its components and supporting documentation, this staff report, the MND adopted by the Lead Agency, and other documents and materials utilized by the Department in reaching its decision on concurrence in, or objection to, the proposed revised SWFP. The custodian of the Department's administrative record is Dona Sturgess, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

Public Comments:

The project document availability, hearings, and associated meetings were noticed consistent with the SWFP requirements. The LEA held a public informational meeting on January 29, 2015, at Thousand Palms Community Center and Park, 31-189 Robert Road, in the City of Thousand Palms. Ten to 15 members of the public were in attendance. A member of the public was concerned of fire prevention practices and how the operator will respond to fire. The LEA and operator answered by indicating that the operator has a fire prevention, control and mitigation plan. Another member questioned how often the county will perform inspections of the facility. The LEA also responded to the second question specifying monthly inspections will be performed at this facility since it is a full tier permitted solid waste facility. No written comments were received by the LEA or Department staff.

Department staff provided an opportunity for public comment during the CalRecycle Monthly Public Meeting on March 17, 2015. No comments have been received by Department staff.